

January 7, 2014

**UNITED STATES OF AMERICA  
BEFORE THE NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	
	)	
Proposed Rule: Waste Confidence –	)	
Continued Storage of Spent Nuclear Fuel	)	Docket No. 2012-0246
10 C.F.R. Part 51	)	
	)	
Draft Waste Confidence Generic	)	
Environmental Impact Statement	)	
	)	

**Errata to Comments by Environmental Organizations on Draft Waste Confidence Generic  
Environmental Impact Statement and Proposed Waste Confidence Rule and  
Petition to Revise and Integrate All Safety and Environmental Regulations Related to  
Spent Fuel Storage and Disposal**

On December 20, 2013, thirty-three environmental groups<sup>1</sup> submitted comments on the Draft Waste Confidence Generic Environmental Impact Statement and proposed Waste Confidence Rule and a related petition for rulemaking. These groups respectfully submit the following errata to their comments:

<b>Page in Original</b>	<b>Paragraph and Sentence in Original</b>	<b>Correction</b>
3	Second bullet point, third sentence	Add the words “environmental impact statement” before “EIS”, and place “EIS” in parentheses.
4	Second paragraph, fifth sentence	Make lowercase the “d” in “Declaration of Mark Cooper”
5	First paragraph of “Petition to Revise ...” second sentence	Add the words “and disposal” after “Issues related to spent fuel storage”
9	Second paragraph of “Proposed	Change “Draft GEIS” to “DGEIS”

<sup>1</sup> Alliance to Halt Fermi 3, Beyond Nuclear, Blue Ridge Environmental Defense League, Center for a Sustainable Coast, Citizens Allied for Safe Energy, Citizens’ Environmental Coalition, Don’t Waste Michigan, Ecology Party of Florida, Friends of the Coast, Friends of the Earth, Georgia Women’s Action for New Directions, Green State Solutions, Hudson River Sloop Clearwater, Missouri Coalition for the Environment, NC WARN, Nevada Nuclear Waste Task Force, New England Coalition, No Nukes Pennsylvania, Northwest Environmental Advocates, Nuclear Energy Information Service, Nuclear Information and Resource Service, Nuclear Watch South, Physicians for Social Responsibility, Public Citizen, Promoting Health and Sustainable Energy, Radiation and Public Health Project, Riverkeeper, SEED Coalition, San Clemente Green, San Luis Obispo Mothers for Peace, Snake River Alliance, Southern Alliance for Clean Energy, and Vista 360

	Rule” last sentence	
12	First paragraph of “Evaluation of environmental impacts” fifth sentence	Change the second parenthetical to (Appendix E) and the third parenthetical to (Appendix F).
14	First paragraph, first sentence	Change the words “first waste confidence decision” to “first waste confidence pronouncement” so that the sentence begins “As the NRC conceded in its first waste confidence pronouncement ...”
18	First paragraph of “Lack of Sufficient Technical Support ...” last sentence	Change “Draft GEIS” to “DGEIS”
20	First paragraph, last sentence	Make lowercase the “d” in “Declaration of Dr. Arjun Makhijani”
21	First full paragraph, last sentence	Change “GEIS” to “generic EIS”
24	First incomplete paragraph, last sentence.	Change “GEIS” to “DGEIS”
28	First full paragraph, first sentence	Change “Draft GEIS” to “DGEIS”
28	First full paragraph, last sentence	Change “draft GEIS” to “DGEIS”
28	Second full paragraph, first sentence	Add quotations marks around DOE so that it reads (“DOE”)
28	Second full paragraph, last sentence	Change “draft GEIS” to “DGEIS”
28	Last paragraph, first sentence	Add quotation marks around NEPA so that it reads (“NEPA”)
28	Las paragraph, second sentence	Change citation to “Makhijani Declaration, pars. 6.3 . . .” to “Makhijani Declaration, pars. 6.4 . . .”
28	Last paragraph, third sentence	Add the words “of his declaration” after “As Dr. Makhijani discusses in Section 6”
29	First incomplete paragraph, only sentence	Change “Makhijani Declaration, par. 6.6 – 6.7” to “Makhijani Declaration, par. 6.7 – 6.8”
29	Last paragraph, fourth sentence	Change “Draft GEIS” to “DGEIS”
30	First paragraph, first sentence, second sentence, and third sentence	Change “Draft GEIS” to “DGEIS”
30	Second paragraph, last sentence	Change “Draft GEIS” to “DGEIS”
30	Third paragraph, second sentence	Add quotations marks around Draft Report on Technical Information Needs and insert the words “or “Draft Report”” into the parenthetical so that it reads (“Draft Report on Technical Information Needs” or “Draft Report”)
31	First paragraph, second sentence	Change “paper” to “Draft Report”
31	First paragraph after the bullet	Change “Draft Study” to “Draft Report”

	points, first sentence	
31	Second paragraph after the bullet points, first sentence and last sentence	Change “Draft GEIS” to “DGEIS”
31	Third paragraph, first sentence	Add quotation marks around NWTRB so that it reads (“NWTRB”)
31	Third paragraph, second sentence	Add the words “Waste Confidence” before “EIS”
31	Third paragraph, third sentence	Replace “GEIS” with “Waste Confidence EIS”
34	First paragraph, second sentence	Replace “below” with “of Dr. Makhijani’s declaration” so that the sentence begins “Figure 2 of Dr. Makhijani’s declaration shows that ...”
34	Third paragraph, first sentence	Change “Draft GEIS” to “DGEIS”
34	Last paragraph, last citation	Make lowercase the “p” in “Par.”
35	First paragraph, first sentence and last sentence	Change “Draft GEIS” to “DGEIS”
35	Second paragraph, first sentence	Change “Draft GEIS” to “DGEIS”
35	Last paragraph, second sentence	Change “Draft GEIS” to “DGEIS”
36	Third full paragraph, first sentence	Change “DEIS” to “DGEIS”
36	Third full paragraph, last sentence before the block quote	Change “draft GEIS” to “DGEIS”
36	Fourth full paragraph, first sentence	Change “Draft GEIS” to “DGEIS”
37	Second paragraph, second sentence	Change “Draft GEIS” to “DGEIS”
37	Third paragraph, first sentence	Change “GEIS” to “DGEIS”
37	Third paragraph, seventh sentence and eighth sentence	Change “Draft GEIS” to “DGEIS”
38	First paragraph, first sentence	Place quotation marks around SFP so that it reads (“SFP”)
40	First incomplete paragraph, first sentence	Add quotation marks around BNL and EPA so that it reads (“BNL”) and (“EPA”)
48	Last paragraph, sixth sentence	Define the “United States Government Accountability Office” as the GAO so that the sentence begins, “The United States Government Accountability Office (“GAO”) conducted a study ...”
57	First full paragraph, only sentence	Replace “generic waste confidence EIS” with “DGEIS”
58	Last paragraph, first sentence, second sentence, and third sentence	Change “draft GEIS” to “DGEIS”
59	First paragraph after the bullets, second sentence	Add quotation marks around IRSN so that it reads (“IRSN”)
60	Second full paragraph, first	Change “draft GEIS” to “DGEIS”

	sentence	
60	Second full paragraph, first sentence	Define “probabilistic risk assessment” as PRA, so that the sentence provides, “The DGEIS relies on probabilistic risk assessment (“PRA”) type studies for its estimation of radiological risk.”
60	Third full paragraph, first sentence, third sentence, and fifth sentence	Change “draft GEIS” to “DGEIS”
60	Fourth full paragraph, first sentence	Change “draft GEIS” to “DGEIS”
60	Last paragraph, second sentence	Change “draft GEIS” to “DGEIS”
61	First paragraph, first sentence and second sentence	Change “draft GEIS” to “DGEIS”
61	First full paragraph, first sentence	Change “draft GEIS” to “DGEIS”
61	Third full paragraph, second sentence	Add the words “of the DGEIS” after the words “in footnote 5 on page F-9”
62	Second paragraph of “The Impacts and Costs Related to Spent Fuel Storage ...”, first sentence	Make lowercase the “d” in “Declaration of Dr. Arjun Makhijani”
62	Last paragraph, fifth sentence	Make lowercase the d in “Declaration of Mark Cooper”
64	Second bullet point, last sentence	Delete the word “allegedly”
64	Last bullet point, first sentence	Change “Draft GEIS” to “DGEIS” and “waste confidence DGEIS” to “DGEIS” so that the sentence provides, “The DGEIS claims that the environmental impacts of spent fuel disposal are irrelevant to the DGEIS.”
65	First full bullet point, fifth sentence	Make lowercase the “d” in “Declaration of Mark Cooper”
67	Paragraph “10 C.F.R. §§ 51.53(c) and 51.71(d)”, fourth sentence	Change “draft GEIS” to “DGEIS”

A corrected copy of the comments is attached.

Respectfully submitted,

*Signed (electronically) by:*

Diane Curran

Harmon, Curran, Spielberg & Eisenberg, L.L.P.

1726 M Street N.W. Suite 600

Washington, D.C. 20036

202-328-3500

Fax: 202-328-6918

E-mail: [dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com)

*Signed (electronically) by:*

Mindy Goldstein

Jillian Kysor

Turner Environmental Law Clinic

1301 Clifton Road

Atlanta, GA 30322

404-727-3432

Fax: 404-727-7853

Email: [magolds@emory.edu](mailto:magolds@emory.edu)

January 7, 2014